

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/826,326	HAYES, CECIL E.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Bernard E Souw	2881	

**-- Th MAILING DATE of this communication app ars on th cov r sh et with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment 04/06/2004.
2. ☒ The allowed claim(s) is/are 1,2,4-20 and 22-25.
3. ☒ The drawings filed on 06 April 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|   | 9. <input type="checkbox"/> Other _____.   |

## **DETAILED ACTION**

### ***Amendments and Remarks***

1. The Amendment filed 04/06/2004 has been entered.

Claims 1, 5, 20 and 23 have been amended.

Claims 3 and 21 have been cancelled.

Pending in this office action are claims 1, 2, 4-20, and 22-25.

The present Office Action is made with all the suggested amendments being fully considered.

### ***Response to Applicant's Arguments***

2. Applicant's arguments filed 04/06/2004 have been fully considered. The following is the Examiner's response.

Applicant's arguments against previous rejections of claims 1 and 20 are moot, because the claims have been amended.

### ***Claim Rejections Withdrawn***

3. Claim(s) 1 and 20 having been properly amended, their previous rejections are now withdrawn.

## **ALLOWANCE**

4. Claims 1, 2, 4-20, and 22-25 are allowed.

Claims 1, 2, 4-20, and 22-25 are subsequently renumbered by the Examiner to claims 1-23.

***Reasons for Allowance***

5. The following is an examiner's statement of reasons for allowance:

A radio frequency (RF) magnetic shield for use in an RF system generating an electromagnetic field, wherein the RF magnetic shield and the RF magnetic coil of the RF system define a sample volume, the RF magnetic shield comprising a dielectric layer having a plurality of conductive regions separated by non-conductive regions on each side of the dielectric layer to form a plurality of capacitive elements that are partially conductive at the operating radio frequencies such that the electrical component tangent to the shield is non-zero and the magnetic component perpendicular to the shield is essentially zero, and wherein the electrical field component is substantially uniform around all the sample volume, as recited in claims 1 and 20 (original numbering), is neither anticipated nor rendered obvious by any prior art.

Claims 2, 4-19 and 22-25 (original numbering) are also allowed because of their dependencies, either directly or indirectly, upon claims 1 or 20.

6. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."


***Communications***

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bernard E Souw whose telephone number is 571 272 2482. The examiner can normally be reached on Monday thru Friday, 9:00 am to 5:00 pm..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John R Lee can be reached on 571 272 2477. The central fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306 for regular communications as well as for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703 308 0956.

bes  
June 18, 2004

  
JOHN R. LEE  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2800